IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CONTEMPT PETITION NO.172 OF 2005

Dhananjay Prabhakar Avasarikar ..Petitioner
V/s.
Shivaji Maratha Society & anr. ..Respondents

Mr.S.B.Deshmukh for the petitioner
Mr.S.V.Pitre for the respondent No.2

CORAM : A.S.OKA, J.

DATE : 10TH APRIL,2007

P.C.

1. Heard advocates appearing for the petitioner and respondent Nos.1 & 2. The learned advocate appearing for the respondent Nos.1 & 2 states that Clause 4 in the letter dated 31st December, 2004 (ANNEXURE A4) stands deleted. He states that the respondent Nos.1 & 2 are willing to reinstate the petitioner as per the order dated 25th August, 2004, passed by the learned Presiding Officer. The learned advocate for the petitioner states that he needs time of three months to join employment of the respondents. He states that the respondent Nos.1 & 2 are not disclosing the salary and perquisites payable to the petitioner.

2. The respondents have shown readiness and willingness to reinstate the petitioner as per the order passed by the learned Presiding Officer. The respondent Nos.1 & 2 have deleted Clause 4 in the letter dated 31st December, 2004. It is thus obvious that there is no deliberate or wilful breach of the order on the part of the respondents. Issue regarding the salary cannot be adjudicated and decided in this Contempt Petition. The respondents have shown their readiness and willingness to abide by the orders dated 25th August, 2004 & 20th December, 2004. No case is made out for taking action under the Contempt of Courts Act, 1971 as of today.

3. Hence, notice issued to the respondents is discharged. The Contempt Petition is disposed of.

(**A.S.OKA, J.**)